

# EXHIBIT D



Anthony Carter <acarter@tostrudlaw.com>

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**RE: Notification: Pork Antitrust Litigation - Subpoena to Affiliated Foods @ Fri Jun 25, 2021 1pm - 2pm (PDT) (Anthony Carter)**

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David Mullin <dmullin@mhba.com>  
To: Anthony Carter <acarter@tostrudlaw.com>  
Cc: "Johnson, Jason" <jjohnson@larsonking.com>

Fri, Jun 25, 2021 at 1:20 PM

Anthony:

Affiliated's IT department estimated that it would take them at a minimum 327 hours to complete their portion of the request (backup tape restorations, and data formatting, etc...). The IT department is down 2 headcount right now in operations/development and is in process on 5 projects along with their daily operational workload. These projects are critical and would not be able to be stopped to allow time for this request. Two projects are 30-60 days away from completion but our largest and most critical project is 9 months away from completion.

Affiliated's accounting department looked at the data requested and determined there is an estimated total of 295,756 potential records they would be able to retrieve (again, only back through 2009). These would need to be manually searched and retrieved from our imaging database, imported and prepared. Our CFO performed a test on one batch to determine an average time and came back with 7 minutes for purchase records and 8 minutes for sales records. Based on this average applied to the total potential records this would require 73,939 hours to execute the request. At an average of \$17.00 hour this would cost us \$1,256,963.00 in labor plus benefits and would require the hiring 35.5 people to complete this request in one year.

As Affiliated struggling to hire enough folks to work in our warehouse and transportation operations and still need to fill over 50 open positions there I do not believe we would be able to hire enough people to complete this task in even as little as 5 years.

**David Mullin**  
**Mullin Hoard & Brown, LLP**

**From:** Anthony Carter [mailto:[acarter@tostrudlaw.com](mailto:acarter@tostrudlaw.com)]  
**Sent:** Friday, June 25, 2021 3:06 PM  
**To:** David Mullin  
**Cc:** Johnson, Jason  
**Subject:** Fwd: Notification: Pork Antitrust Litigation - Subpoena to Affiliated Foods @ Fri Jun 25, 2021 1pm - 2pm (PDT) (Anthony Carter)

David,

Just wanted to check if you're still able to speak briefly today, or would another time work better for you?

Thanks,

Anthony M. Carter

(VA Bar No. 39736)

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Date: Fri, Jun 25, 2021 at 12:50 PM

Subject: Notification: Pork Antitrust Litigation - Subpoena to Affiliated Foods @ Fri Jun 25, 2021 1pm - 2pm (PDT)  
(Anthony Carter)

To: Anthony Carter <[acarter@tostrudlaw.com](mailto:acarter@tostrudlaw.com)>

## Pork Antitrust Litigation - Subpoena to Affiliated Foods

When Fri Jun 25, 2021 1pm – 2pm Pacific Time - Los Angeles

Where Dial-in: (866) 528-2256, Passcode: 4925899# ([map](#))

Calendar Anthony Carter

- Who
- Anthony Carter - organizer
  - [bfinley@cuneolaw.com](mailto:bfinley@cuneolaw.com)
  - [jtostrud@tostrudlaw.com](mailto:jtostrud@tostrudlaw.com)
  - [dmullin@mhba.com](mailto:dmullin@mhba.com)
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  - [jjohnson@larsonking.com](mailto:jjohnson@larsonking.com)

[more details »](#)

Going ([acarter@tostrudlaw.com](mailto:acarter@tostrudlaw.com))? **Yes - Maybe - No** [more options »](#)

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 **Pork Item list.xlsx**  
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